

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Customer No.: 32,650

David J. Ecker, Herb Boswell, Stanley T. Crooke

**For:** Structure Motifs and Oligomeric Compounds and  
Their Use in Gene Modulation

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a

☒ Utility Patent☐ Design Patent

is sought on the invention, whose title appears above, the specification of which:

☒ is attached hereto.☐ was filed on \_\_\_\_\_ as Serial No. \_\_\_\_\_.☐ said application having been amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to the patentability of this application in accordance with 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a-d) of any **foreign application(s)** for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of any application on which priority is claimed:

Priority Claimed (If X'd)	Country	Serial Number	Date Filed
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Date Filed	Patented/Pending/Abandoned
10/660,059	September 11, 2003	Pending
10/078,949	February 20, 2002	Pending
09/479,783	January 7, 2000	Pending
08/870,608	June 6, 1997	Patented
08/659,440	June 6, 1996	Patented

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Serial Number	Date Filed
60/423,760	November 5, 2002

I hereby appoint all the practitioners associated with Customer Number 32,650 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Each practitioner associated with Customer Number 32,650 is an attorney registered before the United States Patent and Trademark Office.



32650

PATENT TRADEMARK OFFICE

Address all telephone calls and correspondence to:

John A. Harrelson, Jr.  
**WOODCOCK WASHBURN LLP**  
 One Liberty Place - 46th Floor  
 Philadelphia PA 19103  
 Telephone No.: (215) 568-3100  
 Facsimile No.: (215) 568-3439

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>Name:</b>  David J. Ecker	
<b>Mailing Address:</b>  1041 Saxony Road Encinitas, California 92024	<b>Signature</b>  _____
<b>City/State of Actual Residence:</b>  Encinitas, California	<b>Date of Signature:</b> _____  <b>Citizenship:</b> United States of America

<b>Name:</b>  Herb Boswell	
<b>Mailing Address:</b>  977 Hawthorne Court San Marcos, California 92069	<b>Signature</b>  _____
<b>City/State of Actual Residence:</b>  San Marcos, California	<b>Date of Signature:</b> _____  <b>Citizenship:</b> United States of America

<b>Name:</b>  Stanley T. Crooke	
<b>Mailing Address:</b>  3211 Piragua Street Carlsbad, California 92009	<b>Signature</b> _____  <b>Date of Signature:</b> _____
<b>City/State of Actual Residence:</b>  Carlsbad, California 92009	<b>Citizenship:</b> United States of America